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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/698,708

10/27/2000

Srihari Kumar

P3937

6134

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7590

03/24/2008

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EXAMINER

POINVIL, FRANTZY

ART UNIT

PAPER NUMBER

3692

MAIL DATE

DELIVERY MODE

03/24/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/698,708	<b>Applicant(s)</b> KUMAR ET AL.	
	<b>Examiner</b> Frantzy Poinvil	<b>Art Unit</b> 3692	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11-16 and 18-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-16 and 18-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 12/13/2007 have been fully considered but they are not persuasive.

2. The applicant's representative disagrees with the Examiner's statement that the claims do not recite that the claimed modules are part of the software suite and argued that their claims positively recite that the software suit comprises the modules.

In response, the Examiner disagrees with the applicant's argument. The claimed language recites a software suite is installed on a computer appliance for enabling viewing and manipulation...from a plurality of external data sources. The data sources comprising the claimed plurality modules which are external data sources not included as part of the software suite. The plurality of modules is external data sources which are available for direct network-access by one or more users.

Applicant's representative argues that "Starr clearly fails to teach separate modules communicating with each other, as claimed ....", further states that " Applicant points out clear misinterpretations of the art by the Examiner. Column 6, lines 12-52 merely teach that the system of Starr" may connect to financial external services on the network wherein the user may instruct the system of Starr to perform services, which in turn, the system of Starr instructs the external services via Instruction Generator 44. Applicant argues that these external services are

not modules within the software suite as claimed, Column 9, line 20 to col. 11, line 12 of Starr teach operations of Instruction generator 44. The broad portion of Starr, referenced by the Examiner, demonstrates how instructions are generated.

In response, the system of Starr's involves integrating all financial aspects of all service providers which implies that the different software(s) or modules do exchange data among them. Particularly, Starr states on column 4, lines 14-19 that "The elements of the system 10 can include commercially available systems that have been arranged and modified to act as a system according to the invention, which allows a subscriber to carry out integrated financial transactions, and optionally generated records of these integrated transactions". From this passage, it clearly implies that the various data from the various modules or software(s) of the service providers do exchange data once integrated in the server of 14 of Starr.

Applicant's representative then argues that Starr fails to teach viewing and manipulation of multiple categories of aggregated data compiled from a plurality of external data sources.

In response, in the system of Starr, there exists a plurality of service providers being respective data sources comprising a plurality of modules. These data sources or modules are integrated or compiled into the server 14 of Starr for access to one or more subscribers. See the above referred passage(s).

Applicant's representative then argues that Starr does not teach or suggest a calendar module having at least one display interface for enabling viewing and manipulation of time and date-sensitive calendar data.

In response, Starr teaches a bill payment module, a payroll service system which inherently comprise time and date-sensitive calendar data for ensuring timely payment. See column 6, lines 12-52 and column 11, lines 1-40 of Starr.

Applicant's representative then argues that Starr fails to teach or suggest a transaction module.

In response, applicant is directed to column 10, line 14 to column 11, line 40 of Starr.

Applicant then argues that Starr fails to teach or suggest a portfolio tracking module having at least one display interface for enabling viewing and manipulation of investment oriented account data, a net-worth reporting module, a bill-payment module, an account alert module .

In response, applicant is directed to column 10, line 14 to column 11, line 40 of Starr.

As per argument related to the software modules being interlinked and enabled to communicate with other modules for exchanging data, see the above noted arguments.

Regarding the 35 USC 103(a) of claim 9, applicant's representative argues that Starr is not directed to integrating aspects and financial information of a business or individual.

In response, as previously stated, "The financial system and method of Starr are discussed above. Starr does not explicitly teach an account-bookmarks module having at least one interface for listing URLs of the plurality of data sources. The system of Starr is an Internet based system containing a web browser and the ability to save and list URLs of the plurality of data sources. Having an account-

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bookmarks module as claimed would have been obvious to one of ordinary skill in the art at the time of the invention to provide in the system of Starr in order to provide a quick storage of the URLs for fast and easy access of the data sources. Monitoring travel plans is not explicitly taught by Starr. It is noted that the system of Starr is directed to integrating aspects and financial information of a business or individual. The individual would certainly like to travel for business or pleasure. Incorporating the management of travel information related to traveling plans or cost related to travel data in the system of Starr would have been obvious to one of ordinary skill in the art to do. The motivation would have been to track and monitor most financial aspects of an individual or business as such is the intended goal of Starr. “. Furthermore, the specification of Starr is directed to integrating aspects and financial information of a business or individual.

3. The prior rejection is repeated below.

4. Applicant's arguments filed 5/10/2007 have been fully considered but they are not persuasive..

Applicant's representative argues that the prior art fails to teach or suggest a software suite having a plurality of modules as recited in independent claim 1 and that Starr fails to teach the claimed invention particularly, features of claims 1 and 11, 20 and 16.

In response, the claims do not recite that the claimed modules are part or are within the software suite. The claims recite that “the data sources available for direct network-access comprising: “ the plurality of modules being claimed, not that the software suite comprises the claimed plurality of modules. Even if the claims recite that the software suite comprises the

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claimed plurality of modules, the Examiner asserts that Star does inherently teach these modules as would have been envisioned by the applicant because Star obtains or retrieves various types of financial information from a plurality of different external data sources or business Web sites and would have stored these financial data in different modules or memory or subprograms for easy access, retrieval or data manipulation as these are inherent features of database techniques.

Furthermore, when storing these information in different databases or data modules or subprograms, the objective is to exchange data among them so as to update, retrieve and share information among them. These are well known database techniques which are inherently applied in the system of Star. Particularly, Starr states:

“The server 14 may be supported by a commercially available server platform such as a Sun Sparc.TM. system running a version of the Unix operating system and running a server capable of connecting with, or exchanging data with, one of the subscriber systems 12. In the embodiment of FIG. 1, the server 14 includes a web server, such as the Apache web server or any suitable web server. The web server component of the server 14 acts to listen for requests from subscriber systems 12, and to in response to such a request, resolves the request to identify a filename, script, dynamically generated data that can be associated with that request and to return the identified data to the requesting subscriber system 12. The operation of the web server component of server 14 can be understood more fully from Laurie et al., Apache The Definitive Guide, O'Reilly Press (1997). The server 14 may also include components that extend its operation to accomplish the integrated financial transactions described herein, and the architecture of the server 14 may vary

according to the application. For example, the web server may have built in extensions, typically referred to as modules, to allow the server 14 to perform operations that facilitate the integrated financial transactions desired by a subscriber, or the web server may have access to a directory of executable files, each of which files may be employed for performing the operations, or parts of the operations, that implement the integrated financial transactions of the subscriber. Thus it will be understood that the server 14 may act as a financial transaction server according to the invention that configures the work station hardware supporting the server 14 to act as a system according to the invention”.

“The server 14 may couple to a database 16 that stores information representative of a subscriber's account, including information about the different financial service providers that the subscriber employs and information regarding the subscribers accounts, including passwords, user accounts, user privileges and similar information. The depicted database 16 may comprise any suitable database system, including the commercially available Microsoft Access database, and can be a local or distributed database system. The design and development of database systems suitable for use with the system 10, follow from principles known in the art, including those described in McGovern et al., A Guide To Sybase and SQL Server, Addison-Wesley (1993). The database 12 can be supported by any suitable persistent data memory, such as a hard disk drive, RAID system, tape drive system, floppy diskette, or any other suitable system. The system 10 depicted in FIG. 1 includes a database device 16 that is separate from the server station platform 14, however, it will be understood by those of ordinary skill in the art that in other embodiments the database device 16 can be integrated into the server 14.

The server 14 may also couple to a plurality of financial service providers 18. In the depicted embodiment, the server 14 connects to the financial service providers via a secure line, such as a leased telephone line. However, it will be apparent to those of ordinary skill in the art that other communication paths can be employed for exchanging data between the server 14 and the financial service providers 18. The financial service providers can be entities, or institutions that offer or support financial services to an individual or a business. For example, a financial service provider can include investment management firms that offer cash management accounts which combine check writing and debit card services with money market rates of interest and which are insured against loss or optionally value decline. Similarly, a financial service provider may include an electronic Bill Payment Service, such as the CheckFree.TM. service offered by the CheckFree Corporation, which provides the bill payment services and electronic billing services, and may include a Payroll Service, that allows a subscriber to submit its payroll online through its cash management account. Such services can also automatically pay and files taxes from this Account. One such service provider is Computer Resources, Inc. A financial service provider may be a 401(k) service that provides 401(k) plan management with online enrollment processes including process for setting up vesting schedules to matching programs, and with options to choose from a selection of mutual funds including for example Fidelity, Vanguard, and Janus.



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Further service providers may include providers that allow a business or individual to accept credit cards as payment from customers and have the proceeds electronically deposited into the appropriate account, including accounts that will immediately begin earning money market rates. Another example of a financial service provider will include a Leasing Service, for example BankVest Capital Corp., that allows upgrading and adding equipment, handling seasonal fluctuations, addressing unexpected cash flow interruptions and take advantage of unanticipated opportunities. Additionally, a financial service provider may include a credit service, such as the Advanta MasterCard.RTM. service. “

Applicant's representative then argues that the Examiner has failed to address dependent claim 16. In response, Starr teaches generating a report. In the generation of a report, one or more of these data modules must be accessed for obtaining data or information for the preparation of the report. Thus, the control and report modules available through the single interface must be capable of initiating service of at least one additional interface associated with an invoked module otherwise, data would not be able to be accessed when an attempt to generate the report is made.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-8 and 11-16 and 18-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Starr (US Patent No. 6,606,606).

As per claims 1-8 and 11-26, Starr discloses the invention as claimed. Starr discloses a system and method for integrating and consolidating information from a plurality of financial systems or financial service providers into single accounting systems and for reporting and transferring financial information in response to a user request. See the abstract. The system enables a user to monitor, track and review financial transactions. The system also comprises a software suite for enabling viewing and manipulation of multiple categories of aggregated data compiled from a plurality of external data sources and accessible through a single interface operated on a data-packet-network, the data sources available for direct network-access. The system comprises a plurality of modules, each module having a distinct display interface providing interactive elements for a user to view and manipulate data from individual ones of the plurality data sources. Applicant is directed to figure 2, column 2, line 50 to column 3, line 32.

The system further includes one or more of a calendar module having at least one display interface for enabling viewing and manipulation of time and date sensitive calendar data, a transaction module having at least one display interface for enabling viewing and manipulation of financially oriented account data, a portfolio tracking module having at least one interface for enabling viewing and manipulation of investment oriented account data, a network reporting module having at least one display interface for displaying a solution oriented network report compiled from the aggregated data, a bill payment module having at least one display interface for enabling viewing and initiation of payment action regarding current billing data and an account alert module having at least one display interface for reporting time and event sensitive account alerts related to changes in account data due to occurring events or pre-configured time parameters. See column 6, line 12-52 and column 9 line 20 to column 11, line 12.

The system also includes means for providing additional display interfaces launchable from individual ones of the plurality of control report modules the display interfaces containing interactive links to utilities for configuring the aspects of data display and for ordering transactions through the modules and rendering the network interface vehicle accessible to the user operating a remote data access device connected to the network. Applicant is directed to columns 9-11 of Starr.

Users access the system via the INTERNET using a personal computer, Web page or browser. Starr further discloses a database reporting software for accepting input from the software interface through individual ones of the control and report modules and for performing calculations, and ordering transactions based on the received input. Applicant is directed to columns 9-11 of Starr.

The aggregated data are personalized to an accessing user and limited to display in a personalized interface. See column 10, line 66 to column 11, line 12.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Starr (US Patent 6,606,606).

The financial system and method of Starr are discussed above. Starr does not explicitly teach an account-bookmarks module having at least one interface for listing URLs of the plurality of data sources. The system of Starr is an Internet based system containing a web browser and the ability to save and list URLs of the plurality of data sources. Having an account-bookmarks module as claimed would have been obvious to one of ordinary skill in the art at the time of the invention to provide in the system of Starr in order to provide a quick storage of the URLs for fast and easy access of the data sources. Monitoring travel plans is not explicitly taught by Starr. It is noted that the system of Starr is directed to integrating aspects and financial information of a business or individual. The individual would certainly would like to travel for business or pleasure. Incorporating the management of travel information related to traveling plans or cost related to travel data in the system of Starr would have been obvious to one of ordinary skill in the art to do. The motivation would have been to track and monitor most financial aspects of an individual or business as such is the intended goal of Starr.

### **Claim Rejections - 35 USC § 101**

7. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-9 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 1-9 recite a software comprising various types of modules for performing various types of functions. Software or computer program not claimed as embodied in computer media executable by a processor or a computer are descriptive material per se are not statutory because

they are neither physical “thing” nor statutory processes. Claims 1-9 recite a computer software or various modules for enabling viewing and manipulation of aggregated data compiled from a plurality of external data sources. These modules are softwares for performing the various recited functions. These modules or software(s) as claimed do not define any structural and functional interrelationships with a general purpose computer for permitting the claimed functions to be realized. In contrast, a statutory claim would define structural and functional interrelationships between data structures or functional parts and a computer for performing the data functions to be realized. Thus claims 1-9 are rejected as being non-statutory.

The software suite as claimed does not recite as being embodied on a computer readable medium to be executed by a processor or a computer and therefore fails to recite a useful, concrete and tangible result.

### ***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil whose telephone number is (571) 272-6797. The examiner can normally be reached on Monday-Thursday from 7:00AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached on (571) 272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

**/Frantzy Poinvil/  
Primary Examiner  
Art Unit 3692**

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